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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/847,390	05/02/2001	Ming C. Hao	10003407-1	6484

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HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER
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CHANNAVAJALA, SRIRAMA T

ART UNIT	PAPER NUMBER
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2166

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07/23/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
09847390	5/2/01	HAO ET AL.	10003407-1

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**EXAMINER**

SRIRAMA CHANNAVAJJALA

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2166	07202009
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**Commissioner for Patents**

Response to "ORDER REMANDING APPEAL TO EXAMINER"

The method claims 1-10 in the instant application were analyzed under 35 USC 101 based on the patent examining policy guidelines from Deputy commissioner for patent examination dated May 15, 2008.

It is recognized that, in order to be statutory, a process/method claim must be : 1) tied to a particular machine or apparatus, or 2) it transforms a particular article into a different state or thing.

See In re Bilski, 8 USPQ2d 1385 (2008).

For the instant invention, the specification for example at page 13, line 25-27, fig 5 [claim 1, step (a)];  
page 14, line 1-6, fig 5 [claim 1, step (b)];  
page 14, line 7-10, [claim 1, step ( c )];  
page 14, line 15-19, page 16, line 20-26, fig 5 [claim 1, step (d)];  
page 14, line 20-24, page 15, line 5-16, page 17, line 5-32, fig 5-6 [claim 1, step (e)]

makes clear that the steps of claim 1, (a) through (e) is carried out via software operating on a host machine fig 1,element 20 having processor [24] connected to memory [28] particularly memory storing "direct association visualization (DAV) program [34] as detailed in fig 1, spec page 9, line 12-19. As such, the process is tied to a particular machine for example fig 1, thus meeting the Bilski test and , claims 1-10 meets the requirements of being a patent eligible process under 35 USC 101.

The application is being forwarded to the Board of Patent Appeals and Interferences for further proceedings.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Srirama Channavajjala whose telephone number is 571-272-4108. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:30 PM Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alam, Hosain, T, can be reached on (571) 272-3978. The fax phone numbers for the organization where the application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair->

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/Srirama Channavajjala/  
Primary Examiner, Art Unit 2166